

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE EXAMINING GROUP 2619**

Attorney Docket No. 9400-66 (030423)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: James William Rembert	Confirmation No.: 6632
Application No.: 10/747,735	Group Art Unit: 2619
Filed: December 29, 2003	Examiner: Saba Tsegaye
For: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR ENCAPSULATING PACKET TRAFFIC ASSOCIATED WITH MULTIPLE LAYER TWO TECHNOLOGIES	

April 9, 2008

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

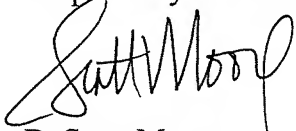
Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated January 9, 2008 at least twice rejecting or finally rejecting claims 1-21.

☐ Enclosed is a check in the amount of \$\_\_\_\_\_ for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1). **[Applicant claims small entity status. See 37 CFR § 1.27.]**

- ☐ Please first reapply any previously paid notice of appeal fee and appeal brief.
- ☐ Payment by credit card is requested. Form PTO-2038 is attached.
- ☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.
- ☒ Also enclosed: Pre-Appeal Brief Request for Review and Reasons in Support of Applicants' Pre-Appeal Brief Request For Review
- ☒ The Commissioner is authorized to charge the Notice of Appeal fee and any additional fees that may be required or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

  
D. Scott Moore  
Registration No. 42,011


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on April 9, 2008.

Signature: \_\_\_\_\_

  
Audra Wooten